

1 rings a bell? Yeah, Joseph Swift and Micheal
2 Johnson. Do those names sound familiar to you?

3 A Possibly.

4 Q What did -- tell me about your
5 communications with TOSHA.

6 A There's an email or maybe two.

7 Q Did you communicate with them over the
8 phone?

9 A I don't necessarily remember.

10 Q You don't remember talking to them over the
11 phone?

12 A Sir, I don't remember.

13 Q Okay. So all you recall is the email
14 communication with them?

15 A Sir, the only thing I have record of is
16 that, after this accident, I don't remember very much
17 at all.

18 Q Did they ask you to send them any
19 information?

20 A Per this email, they asked for a safety
21 program, safety-related documents. That's what's in
22 this email.

23 Q So you have no other recollection of any
24 communication with them other than what is contained
25 in these emails; is that correct?

1 A I don't remember, sir.

2 Q You don't remember any other communication
3 with them?

4 A I may have had a con- -- a conversation with
5 them by phone. I don't remember, sir.

6 Q Okay. So -- so you have no memory of
7 communicating with them at all; is that correct?

8 A Sir, I cannot be sure.

9 Q You can't be sure if you remember?

10 A I can't be sure if I'd had communication
11 with them outside of this email.

12 Q Okay. Okay. So this email, I think it's --
13 there's one from April 29, 2021, Joseph Smith -- from
14 Joseph Swift, sorry, to
15 clearshinelogistics@gmail.com. This is from Joseph
16 Swift who says: I'd like to follow-up on my
17 supervisor's previous request for
18 information...Please send the following documents as
19 soon as possible: Safety program, Safety related
20 documents (i.e., training certificate -- training,
21 certificates, etc.) relating to the activities of
22 ClearShine Logistics LLC.

23 And this, it seems, was a follow-up. There was
24 an initial email from Micheal D. Johnson to
25 ClearShine Logistics LLC on Friday, April 16, 2021,

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1 where Micheal Johnson is asking for "safety program
2 and any safety related-documents: (training,
3 certificates, etc.) relating to the activities of
4 ClearShine Logistics." And a -- a -- it looks like
5 he forwarded that to Joseph Swift on April 29, 2021,
6 and that's when Joseph Swift followed up with you.
7 You responded April 29, 2021, "As discussed. I will
8 scan the mailed document by COB today." I assume
9 "COB" means close of business.

10 A Yes.

11 Q Okay. That -- it was your writing, so I
12 assume that's what that means to you. It mentions
13 "as discussed," so did you -- I guess, does that mean
14 you spoke with him on the phone?

15 A I -- must be.

16 Q Okay. But you have no recollection of that
17 directly?

18 A I don't.

19 Q And she said -- you said: I will scan the
20 mailed document by close of business today.

21 So you sent something to him by mail?

22 A That is my assumption.

23 Q Okay. And this was, I guess, in relation to
24 "safety program, safety-related documents: (i.e.,
25 training, certificates, etc.)." What documents did

1 Q The TOSHA report says that they -- that
2 TOSHA did not receive any documents from you or from
3 ClearShine Logistics. Do you know why you didn't
4 send them anything?

5 A Sir, I don't remember anything for a period
6 of time after my husband died.

7 Q The last email you sent to TOSHA was --
8 well, the last email we have was April 29, 2021. Do
9 you recall any other communication with TOSHA after
10 that date?

11 A No.

12 Q Who is Jermaine Small?

13 A It's one of my husband's friends.

14 Q And he went to pick up the truck and the
15 trailer?

16 A Yes.

17 Q And who organized that for him to go pick
18 that up? Was that a call that you made?

19 A No.

20 Q Okay. Who did that?

21 A Sir, I don't know.

22 Q Okay. It was just, I guess, family and
23 friends got together to help y'all out?

24 A Did whatever they had to do.

25 Q I understand you retained Steven Leibel to

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1 MR. LEIBEL: I'm gonna have to -- since I'm
2 the one who was the attorney at the time, I'm
3 not going to allow her to talk about what I
4 discussed with her or anything involving
5 attorney-client privilege. You can ask her if
6 you have the documents. I have no objection to
7 that. And the only reason that I'm defending at
8 this point is because it's my privilege that I'm
9 defending. You understand.

10 | BY MR. THOMPSON: (Resuming)

11 Q Tell me what did you do to preserve the
12 truck and the trailer?

13 A It was parked.

14 Q Where was it parked?

15 A My father's.

16 Q I believe you're aware that the truck and
17 the trailer were looked at at some point. I think it
18 was at your father's house.

19 A Yes.

20 Q Are you aware of that, that some folks were
21 out there looking at it?

22 A Yes.

23 | 0 And is that where it was parked?

24 A Yes.

25 Q When was it parked there?

1 A That's where Jay --

2 Q Okay, so Mr. Small took it straight there?

3 A Straight there.

4 Q Okay. Was anything changed on the truck or
5 the trailer after it was parked there?

6 A Not to my knowledge.

7 Q Was it ever put under cover of any kind or
8 just left outside where we found it when we looked at
9 it?

10 A Left outside how you found it.

11 Q What did you do to preserve your phone and
12 Vincent's phone after this accident?

13 A I don't -- what methods are there?

14 Q Well, did anyone tell you to preserve any
15 information from the phones or on the phones?

16 A I think they requested information about
17 what was on the phones.

18 Q Okay. But no one told you to preserve
19 information that was on those phones or came from
20 those phones?

21 A Sir, those words, I don't necessarily
22 remember --

23 Q Okay.

24 A -- hearing those words.

25 MR. WRIGHT: You're -- you're going into